

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JAVIER HERRERA, individually and on behalf of all others similarly situated,

Case No. 3:13-cv-00090-SI

*Plaintiff,*

## **STIPULATION AND PROPOSED ORDER SELECTING ADR PROCESS**

CREDIT BUREAU OF NAPA COUNTY,  
INC., a California corporation,

Judge: Honorable Susan Illston

*Defendant.*

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

## Court Processes:

- Non-binding Arbitration (ADR L.R. 4)
- Early Neutral Evaluation (ENE) (ADR L.R. 5)
- Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need For ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5.)*

## Private Process:

*Private ADR (please identify process and provider):* The parties agree that mediation conducted by a neutral selected from the roster at JAMS or a similar provider may be the most effective method of ADR at the appropriate time

1 The parties agree to hold the ADR session by:

2       – The presumptive deadline (*The deadline is 90 days from the date of the order*  
3           *referring the case to an ADR process unless otherwise ordered.*)

4       **X**      Other requested deadline: The parties have conferred and agreed that ADR will  
5      be most productive after they have engaged in at least some discovery in the case.

6      Accordingly, they respectfully request that the Court not schedule a deadline to  
7      proceed with ADR, but rather, that they apprise the Court of their intention to proceed with a  
8      private mediation once scheduled.

9      Dated: April 18, 2013

10            \_\_\_\_\_  
11            /s/ Sean P. Reis  
12            Attorney for Plaintiff

13      Dated: April 18, 2013

14            \_\_\_\_\_  
15            /s/ Christopher C. Saldaña  
16            Attorney for Defendant

17      CONTINUE TO FOLLOWING PAGE

**[PROPOSED] ORDER**

The parties' stipulation is adopted and IT IS SO ORDERED.

The parties' stipulation is modified as follows, and IT IS SO ORDERED.

ENTERED: 4/23/13

Susan Mlotek

HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE